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11	(Counsel continued on subsequent page)	(Counsel continued on subsequent page)
12	UNITED STATES D	ISTRICT COURT
13	NORTHERN DISTRIC	T OF CALIFORNIA
14	SAN FRANCISO	CO DIVISION
15	TERADATA US, INC.,	
16	Plaintiff,	
17	and	Case No. 3:18-cv-03670-WHO
18 19	TERADATA CORPORATION and TERADATA OPERATIONS, INC.,	STIPULATION TO PRETRIAL SCHEDULE AND ORDER
20	Plaintiffs/Counterclaim-Defendants,	
21	v.	
22	SAP SE,	
23	Defendant/Counterclaim-Plaintiff,	
24	and SAR AMERICA, INC. and	
25	SAP AMERICA, INC. and SAP LABS, LLC,	
26	Defendants.	
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OPERATIONS, INC. Plaintiff SAP SE and Defendants SAP	27		
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	28		AMERICA, INC. and SAP LABS, LLC

Pursuant to Local Rule 7-12, Plaintiffs and Counterclaim Defendants Teradata Corporation, Teradata US, Inc., and Teradata Operations, Inc. (collectively, "Teradata") and Defendants and Counterclaim Plaintiffs SAP SE, SAP America, Inc., and SAP Labs, LLC (collectively, "SAP"), through their undersigned counsel, hereby jointly request and stipulate as follows:

WHEREAS, the Court established the following pretrial schedule: First Exchange on December 18, 2025; Meet and Confer on January 9, 2026; Second Exchange on January 26, 2026; Meet and Confer regarding the Pretrial Conference Statement and Settlement on February 2, 2026; Parties' filings (including motions *in limine*) on February 9, 2026; Oppositions to motions *in limine* on February 17, 2026; and Pretrial Conference on March 2, 2026, at 2:00 p.m. (Dkt. 657).

WHEREAS, the Court set jury selection for March 30, 2026 at 8:30 a.m. (Dkt. 688).

WHEREAS, fact discovery closed on February 26, 2021 and expert discovery closed on August 13, 2021, except for one deposition held on August 20, 2021. (Dkt. 344, 393, 458).

WHEREAS, the parties agreed to exchange updated financial information relevant to their respective damages claims and to supplementation of their damages expert reports to update their damages claims. (Dkt. 655 at 3).

WHEREAS, the parties' supplemental reports that address damages will be limited to the same opinions, methodologies, models, analyses, and calculations as the original reports, applied to updated financial information and to account for the passage of time.

WHEREAS, the parties agreed to exchange substitute expert reports for two expert witnesses who are no longer available to testify at trial in this matter.

WHEREAS, the parties' substitute expert reports will be limited to opinions that are the same or substantially similar to those of the substituted experts and will not be contrary to or inconsistent with the opinions of the substituted experts as outlined in relevant case law.

WHEREAS, the parties agree that any depositions of experts submitting reports under this schedule shall not exceed three hours.

WHEREAS, the parties agree that depositions of experts serving supplemental reports shall be limited to exploring the updated analyses and updated findings set forth in the experts' respective supplemental reports.

WHEREAS, the parties filed *Daubert* motions on August 25, 2021, but stipulated that they could still file other non-duplicative *Daubert* motions "that do not address the same opinions and are not based on substantially the same arguments as any previously filed *Daubert* motion." (Dkt. 392).

WHEREAS, two *Daubert* motions, Teradata's motion to exclude certain opinions of SAP expert Dr. Tim Kraska (Dkts. 466, 495) and Teradata's motion to exclude certain opinions of SAP expert Gregory Leonard (Dkt. 480) remain pending, and the Court has indicated they will be decided along with the other pretrial motions (May 7, 2025 Hearing Tr. at 7:14-8:8).

IT IS HEREBY STIPULATED by Teradata and SAP, through their counsel, and subject to the Court's approval, propose the following case schedule, which accounts for the supplemental expert schedule and also includes minor variations and additions to dates and disclosures previously approved by the Court:

Events and Deadlines	Date
Parties serve supplemental opening reports (new) ¹	October 24, 2025
Parties serve substitute reports for unavailable expert witnesses (new)	November 4, 2025
Parties provide written notice of supplemental rebuttal reports (new)	November 7, 2025
Parties serve supplemental rebuttal reports (new)	November 25, 2025
Deadline to notice supplemental expert depositions (new)	November 26, 2025
Parties serve supplemental reply reports, if any (new)	December 11, 2025

¹ SAP served the supplemental opening report of Dr. Gregory Leonard on October 17, 2025.

Events and Deadlines	Date
Parties' First Exchange: ² • Exhibit lists • Preliminary witness lists	December 18, 2025 (no change) (previously February 9, 2025 for witness li
Parties Second Exchange: • Issues and key authority for motions in limine • Deposition & discovery response designations	January 5, 2026 (previously December 18, 2025)
Parties meet and confer on motions in limine	January 9, 2026 (no change)
Deadline to complete depositions of supplemental and substitute experts	January 9, 2026
Opening Daubert motions & supporting briefs	January 12, 2026
Parties' Third Exchange: Objections to exhibits Objections to deposition designations Deposition counter-designations Requested voir dire questions Jury instructions Forms of verdict	January 26, 2026 (no change)
Oppositions to Daubert motions	January 26, 2026
Deadline to Meet and Confer Regarding Pretrial Conference Statement and Settlement	February 2, 2026 (no change)
Replies in support of <i>Daubert</i> motions	February 2, 2026
Parties' Fourth Exchange:	
 Responses to deposition designation objections (new) Counter-counter deposition designations (new) 	February 9, 2026

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² The Parties will meet and confer no later than November 14, 2025 regarding format and scope of exchanges (new).

Events and Deadlines	Date
	Date
 Parties file: Motions in limine Joint Pretrial Conference Statement Joint set of jury instructions (including preliminary statements/instructions) Voir dire and verdict forms Juror questionnaire (new) 	February 9, 2026
Oppositions to motions in limine	February 17, 2026
Parties file:	
 Full set of deposition designations with objections (new) Stipulation of exhibits' admissibility 	February 19, 2026 (previously February 9, 2026 for exhibit deadlines)
Objections to exhibits	
Pretrial conference	March 2, 2026 at 2:00 p.m. (no change)
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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: November 7, 2025

THE CHORABLE WILLIAM H. ORRICK UNITED STATES DISTRICT JUDGE

ECF ATTESTATION

I, Eric M. Acker, am the ECF User whose ID and Password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from the signatory.

Dated: November 6, 2025 MORRISON & FOERSTER LLP

By: /s/ Eric M. Acker

Eric M. Acker (CA Bar No. 135805)